

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**v.**

**JOHN KOSTA, ET AL.**

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**Criminal No. 12-CR-10226**

**DISMISSAL OF INDICTMENT**

Pursuant to Fed. R. Crim. P. 48(a), the United States Attorney for the District of Massachusetts, Carmen M. Ortiz, hereby dismisses the Indictment against John Kosta, Nestor Antonio Verduzco, Dennis Novicki, Alexander Napoleon, Donald McCormick and Tamara Kosta, which charges John Kosta, Fidencia Serrano-Esquer, Nestor Antonio Verduzco, Dennis Novicki, Alexander Napoleon and Donald McCormick with conspiracy to possess with intent to distribute marijuana, in violation of 21 U.S.C. §846 (Count One); John Kosta and Alexander Napoleon with possession with intent to distribute marijuana, in violation of 21 U.S.C. §841(a)(1) (Count Two); and John Kosta and Tamara Kosta with conspiracy to commit money laundering, in violation of 18 U.S.C. §1956(h) (Count Three).

In support of this dismissal, the government states that on or after October 4, 2012, the above named defendants, with the exception of Fidencia Serrano-Esquer, were arraigned on a Superseding Indictment in the above-captioned matter, which charged all defendants with the same offenses that were charged in the Indictment in addition to new charges. Since the date the Indictment was returned, Fidencia Serrano-Esquer has been and remains a fugitive.

With the exception of Fidencia Serrano-Esquer, all defendants charged in the Indictment have pleaded guilty to charges in the Superseding Indictment. Accordingly, the dismissal of the Indictment against John Kosta, Nestor Antonio Verduzco, Dennis Novicki, Alexander Napoleon, Donald McCormick and Tamara Kosta is in the interests of justice.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

Aug. 20, 2014  
Date

By:

  
JAMES D. HERBERT  
Deputy Chief, Criminal Division

  
Leah B. Foley  
Assistant U.S. Attorney

Leave to File Granted:

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Denise J. Casper, Judge  
United States District Court